

# Landfill spill poses health threat



Staff photo by Steve Zagschwerdt

**TRASHED:** A small tributary to Gorst Creek is now littered with garbage that was unearthed by a landslide at the site of a former landfill. The creek runs under Highway 3 near the Alpine Evergreen Christmas tree yard.

■ *The greatest threat from the old landfill is a chain of events that could wash out Highway 3.*

By Christopher Dunagan  
Sun Staff

Government officials agreed Wednesday that quick action is needed to avert a potential disaster facing Highway 3 near Bremerton National Airport where a near-vertical wall of garbage threatens to collapse into Gorst Creek.

About 10 agencies attended an emergency meeting called by the Bremerton-Kitsap County Health District following the first collapse discovered last week at an old landfill north of Bremerton National Airport.

"We are all concerned about the immediate impact that particular facility has on the environment and public health," said Don Miles of the health district, which is taking a lead role in the crisis.

The officials agreed that the steep face of the landfill needs to be stabilized before a second wall of garbage collapses into Gorst Creek, said Miles.

Officials with the state Department of Transportation agreed to explore the possibility of using emergency funds to do some of the work, said Miles. Another possible source is disaster assistance, assuming Kitsap County is declared a federal disaster area in the next week or so.

Another collapse at the landfill could threaten to wash out Highway 3 adjacent to Airport Auto Wrecking, said Miles. The culvert under the highway remains about one-fourth plugged with trash and debris

after the first landslide, he said.

"If we have another storm and there was another collapse, the culvert could be plugged with debris," he said. "It would form a lake beside the New Belfair Highway and threaten to wash out the highway. If that went, it could jeopardize the Old Belfair Highway, too, since the flow goes in that direction."

In addition to threatening the highway, the landfill may be contaminating Gorst Creek, which passes through a culvert at the bottom of the landfill. Samples of

water are being tested, said Miles, but results are not yet available.

If the creek is contaminated, the water could seep through the soil and degrade the water in private and public wells, said Miles.

"Our concern from a public health standpoint is that ... surface water can end up in ground water," he said.

The landfill was constructed years ago by directing Gorst Creek through a culvert and practically filling the canyon with debris. Nobody knows whether the underlying culvert has been

damaged, said Miles, but any final solution to the problem could cost hundreds of thousands of dollars.

In addition to the health district, agencies represented at Wednesday's meeting included the Kitsap County departments of Public Works and Emergency Management; the city of Bremerton; state departments of Transportation, Ecology, and Fish and Wildlife; and the U.S. Navy and Environmental Protection Agency.

The owner of the landfill property, Lucille Uhinck who is the widow of Sid Uhinck, was not represented at the meeting, said Miles, but her cooperation will be needed to solve the problem.

**Officials with the state Department of Transportation agreed to explore the possibility of using emergency funds to do some of the work.**

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# Collapsed landfill leaves pile of trash in Gorst Creek

■ *Officials are trying to prevent a second collapse at a garbage dump north of the Bremerton airport.*

By Christopher Dunagan  
Sun Staff

A mammoth wall of garbage and debris that collapsed into Gorst Creek in South Kitsap can be added to the county's growing list of storm-related disasters.

State and county officials have been huddling anxiously the past few days, trying to decide on emergency steps to prevent a second collapse at a little-known garbage

dump north of Bremerton National Airport.

The abandoned landfill, located on private property, practically fills the canyon through which Gorst Creek flows. Apparently, years ago, the creek was directed through a culvert while layer upon layer of debris was piled on top, said Scott Daniels of the Bremerton-Kitsap County Health District.

Like the mudslides that created the costly devastation during last week's record rainfalls, an edge of the old landfill must have become saturated and eventually sloughed into Gorst Creek, burying the culvert and redirecting the stream through piles of mud and trash.

This past Tuesday, water-quality

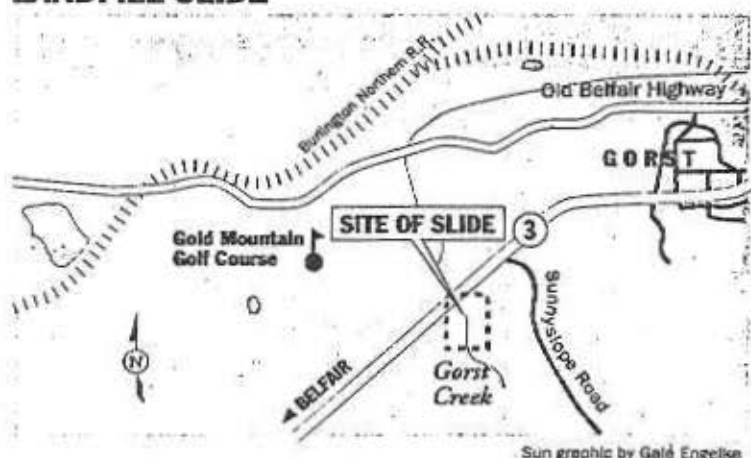
inspectors were taking routine water samples downstream along Gorst Creek when they noticed unusual pieces of plastic and other debris in and along the stream. They tracked the debris back to the landslide just south of Airport Auto Wrecking near Highway 3.

The slide has left a near-vertical wall of trash mixed with soil that towers above Gorst Creek and appears to be at least 100 feet wide.

Washed-out debris, mixed with sand, mud and broken trees, can be seen scattered over a wide area. The trash ranges from large pieces of metal, including washing

See LANDFILL on A3

## LANDFILL SLIDE



## LANDFILL

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machines and fuel tanks, to dozens of automobile tires and random bits of glass, rubber and plastic scattered everywhere.

Gorst Creek itself appears clean and clear where it flows out from under a mound of earth covered with mangled vegetation. Presumably, the end of the buried culvert is somewhere under the mound of earth.

"Our position," said Bob Wright of the state Department of Ecology, "is that interim stabilization is pretty urgently required. But we don't know who is going to play or how we're going to do it."

If the debris were to plug the cul-

vert that passes under Highway 3, the resulting flow could threaten the highway, he noted.

Various state and county agencies intend to put their heads together at a meeting Wednesday to determine the appropriate action.

One idea, said Wright, is to cover the area with plastic to keep rainwater from soaking down into the fill. Runoff would be directed through a pipe, which would discharge on the far side of Highway 3.

"But that is just a short-term fix," stressed Wright, adding that a long-term solution could be very expensive.

"We consider it to be an imminent environmental hazard," said Daniels of the Health District. "Our concern is that the landfill face is not stable. And there is landfill waste and sediment in the creek."

The property is owned by Lucille Uhinck, 67, of Bremerton. She is the widow of Sid Uhinck, one in a series of landfill operators. Her son, Rick Uhinck, has been talking to state and county officials.

"We were going to go out and try to get something done," Uhinck told The Sun, but it quickly became apparent that he needed legal advice. Uhinck said further comments will have to wait until he can talk with his lawyer.

Involved state and county officials say they are not sure if the owner will be able or willing to launch a sufficient response to the emergency, but government authority may be limited as well.

"We can respond to spills of hazardous waste and things like that," said Daniels, "but an entire

landfill is another story."

The possibility of federal disaster assistance is under investigation.

The landfill lies just outside of the city of Bremerton's forest reserve, known as the Gorst Creek Watershed.

Kathleen Cahall, Bremerton's water resources manager, said water samples have been sent to a lab to check for possible pollution, but so far it appears that damage to the stream at the edge of city property is minimal.

Bremerton no longer uses Gorst Creek for its drinking water supply, but the stream provides water for a fish hatchery. The hatchery, operated in conjunction with the Kitsap Poggie Club and Suquamish Tribe, produced a record number of chinook salmon last fall.

The Sun  
3/29/91

## County Seeks Congressional Help In Ames Dump Closure

The Kitsap County Commissioners hope to enlist the aid of their Congressmen in closing Ames Trash Dump on the New Belfair Highway.

South Kitsap Commissioner William Mahan sent a telegram yesterday to Sen. Henry Jackson, Sen. Warren Magnuson and Rep. Floyd Hicks, asking that the Navy be pressured to find somewhere else to dump its refuse.

Ames operators hold the contract for disposal of refuse from Puget Sound Naval Shipyard. The county commissioners ordered the dump closed last month, but the Navy has continued to dump there, despite requests from the county that

they stop.

"I strongly object to the U.S. Navy flagrantly violating Kitsap County ordinance of disposing of Navy trash in a dump that is not licensed by Kitsap County Health Department," Mahan wired the three officials.

"The tremendous volume of trash dumped by the Navy is creating a public health and safety problem and it is difficult for me to understand why the Navy has refused to take positive action to locate a properly licensed dump to dispose of their trash," the telegram continued.

It was the only shot fired at yesterday's county commissioners' meeting in the running bat-

tle between the county and dump operators Mel Marler and Kenneth Crawford.

County Sanitarian Joe Weigel was at the meeting, though, and reported that another fire had erupted at the dump Saturday, but said the Sunnyslope volunteer fire department was called and fought the blaze.

The commissioners originally ordered an end to all burning at the dump, along with a number of other concessions by the operators. They later ordered it closed, saying they saw no honest effort to make those concessions.

Marler and Crawford have said they will fight the order in court.

THE BREMERTON (Wash.) SUN  
4 Tuesday, Nov. 18, 1969

## Trash Dump Closure Awaits Visiting Judge

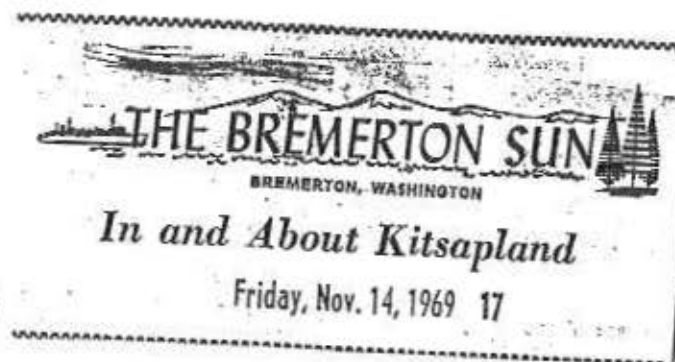
Further legal proceedings in the dispute between the Kitsap County Commissioners and the owners of Ames Trash Dump will await the availability in this county of a judge from somewhere else.

The three Kitsap County superior court judges disqualified themselves yesterday, on view of a possible suit against the county by dump operators Kenneth Crawford and Mel Marler. The county has sued to close the dump, the object of considerable strife in the New Belvoir Highway-Sunnyslope area since mid-summer. A show cause hearing on closing the dump was set for yesterday, but Curtis Coons, lawyer for the dump operators, said he hadn't had time to prepare, and asked for a later hearing date.

As it was, Judge Frank Ryan raised the question of the need for a visiting judge, and the matter, probably wouldn't have

been heard yesterday even if Coons was ready.

Coons said this morning he expects a visiting judge to be available within the next couple weeks. He reiterated his plans to take the matter to the State Supreme Court if local courts rule against him, and to sue the county if the dump operators suffer any damages.



# County Moves To Close Dump

Legal action was filed Thursday against Ames Auto Wrecking Inc., in an effort to shut down the trash dump the firm runs adjacent to its wrecking yard.

Kitsap County Prosecutor Myron Freyd filed the suit, which asks for temporary and permanent injunctions against the dump operators, Kenneth Crawford and Mel Marler, prohibiting them from running the dump.

Ames Trash Dump, on the

New Belfair Highway, is where Puget Sound Naval Shipyard deposits its massive daily output of refuse and an injunction shutting the dump down would force the Navy to find another location.

Freyd's action asks that Crawford and Marler be prohibited from using the property as a solid waste disposal area.

It sets Monday as the date for a show cause hearing at which lawyers for the Ames operators should present their side

of the issue.

Freyd took the action at the insistence of county commissioners, who have been besieged by complaints from neighbors of the dump about a severe smoke and odor condition that results.

Joe Weigel, county sanitarian, has also said that the dump should be closed, as it hasn't complied with health department standards and didn't seem to be making its best effort to comply.

Crawford and Marler say they have been doing all that is pos-

sible and claim that the neighbors have been stirred up by representatives of the dump which lost the Navy contract to Ames.

Both men have said they will take the county's closure order to as high a court as necessary to win the case. They are represented by lawyer Curtis Coons.

Filing of the action by Freyd comes nearly three weeks after the commissioners ordered the dump to close and threatened legal proceedings if it didn't.

It hasn't, and won't, its two owners say.

# Dump owners tell county to go fly a kite, declare operation discriminated against

"We don't intend to shut down unless a judge tells us to."

Those words came this week from Mel Marler, co-owner with Kenneth Crawford, of Ames Trash Dump, which is currently engaged in a battle with Kitsap County's Commissioners and Health Department over the operation located near Sunny-slope.

At their Board meeting October 27, the Commissioners ordered that the Ames operation be denied a permit and that a \$25 permit fee previously paid be refunded. South end Commissioner Bill Mahan said that the permit had been withheld pending correction of several alleged violations of both county and state health regulations, including illegal burning at the site.

County Sanitarian Joe Weigel

was ordered to return the permit fee but on Thursday when Marler talked to the Independent he said they had not as yet received it. It doesn't matter, anyhow, he added, because when the refund check comes the dump owners won't cash it, nor will they stop operations as the Commissioners have said they must.

Commissioner Mahan said that once the check was received at the dump, all operations there must cease immediately and that if the place were not shut down, the County would take further action.

Mahan was particularly disturbed by what was described as "accidental fire" which occurred recently at the dump. While the dump owners had been asked some time ago not to burn there and had agreed to this ar-

## Port Orchard Independent

Wednesday, Nov. 5, 1969

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From the  
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P. Buckland  
(Ames County)

rangerment, they had mentioned the possibility of accidental fires occurring. When such a fire did break out, according to Mahan, no effort was made to call the Sunnyslope Fire Department which had previously been alerted to the fact that they would be asked to respond in the event of such accidents.

Marler, referring to the fire, said that the dump operators had put it out themselves and that it only burned for "two lousy days—one afternoon and the next day it was out." He added, "I suppose we probably should have called the fire department but we figured, why bother them people to put it out?"

Marler further contends that the Ames operation is "being discriminated against", since several other dumps in the county are being permitted to burn. He says that not until Ames received a contract to dispose of Navy Yard waste material was there any problem with the county and that the dump had operated for a year and a half previous to the Navy Yard contract award without complaints.

What is irritating him still more, he says, is the fact that the Navy Yard contract had, before Ames got the bid, been held by the operators of a dump on Barney White Road which is located not too far from the Ames' operation. The Barney White dump, Marler says, is located only about six city blocks away from a trailer court whose occupants are now complaining about the smoke and fallout from burning, while by his measurements Ames Dump is further away.

Asked about Marler's charge of discrimination, Commissioner Gene Lobe said that there were indeed other dumps that were being permitted to burn. According to the Health Department, burning at dumps has been al-

lowed under forestry department supervision where it does not create a nuisance and, says Lobe, "there is no place else in Kitsap County that gets the amount of smoke or stink" that is coming from the Ames dump.

But, says Lobe, the burning is not the main reason the Commissioners are shutting the dump down. The operation is not complying with basic health regulations, including those relating to open garbage and the stockpiling of refuse, he said. "We make dumps do certain things," Lobe added, "and they must do them or not get a permit."

As for the Navy Yard contract, Lobe continued, "They knew what was involved in the contract when they bid it. It isn't up to us to tell him what to do before he does it." Lobe says Marler is right in saying the Navy Yard Contract is causing his problems, but only because the dump wasn't adequately prepared for it when they got it.

Lobe also made it clear that the Commissioners were not revoking the Ames' permit. "They don't have one to revoke," he said. What they are doing is only refunding the permit fee which had to be paid upon application for a permit. And to get the permit the dump would have had to comply with health regulations and this they did not do.

Marler and his partner have retained two attorneys, Paul Fisher of Seattle and Curtis Coons of Bremerton. The next move is up to the county. What will most likely occur, Lobe says, is that after the refund of the permit money is made, the Health Department will see whether or not they are operating without a permit and if they are, the prosecutor's office will be called in. Such illegal operation is a misdemeanor, with a possible fine of \$250 for each day the offense continues.

## Legal Action Slated Against Trash Dump

The Kitsap County Commissioners, discovering yesterday that they hadn't gotten very far in enforcing their week-old closure order on Ames Trash Dump on the New Belfair Highway, have told County Sanitarian Joe Weigel to commence legal action at the earliest possible moment.

Weigel and County Prosecutor Myron Freyd were to discuss the approach to be taken, but apparently nothing can be done until tomorrow, since the county courthouse is closed today.

The commissioners noted yesterday that they have received a letter from an attorney for the dump operators, Kenneth Crawford and Mel Marler, asking for a meeting.

That's fine with him, Commissioner Gene Lobe said, but he wants legal proceedings to begin anyway.

"We've given them every possible chance to comply (with health department regulations)," Lobe said, "and every possible chance to meet with

us." He said he didn't want legal action to enforce the closure order to be held up on the chance something can be worked out in such a meeting.

"If we can't enforce this, we can't enforce anything," Lobe said, in calling for an immediate start to legal action. His two fellow commissioners agreed and the order was issued.

The commissioners expressed disappointment in the Navy's lack of concern over the closure order. Dumping from Puget Sound Naval Shipyard is generally felt to be what has brought the wrath of the dump's neighbors down on the heads of the dump operators since July.

The question of whether the Navy will honor the closure order and quit dumping at Ames, or even if it can, is in the hands of legal officers at Seattle's Pier 91, Weigel told the commissioners yesterday.

PSNS officials have told him their only interest in the matter is one of "curiosity," Weigel related.

Meanwhile, it's business as usual at the dump. Marler told The Sun yesterday he has received dozens of phone calls from persons wanting to know if they can continue to dump there, and he has been telling them there's been no change in the operation.

Marler and Crawford both have said they will fight the closure order in the courts.

TON (Wash.) SUN  
/, Oct. 28, 1969

# Bremerton Sun County Orders Dump Closed, Faces Possible Legal Action

By TRAVIS BAKER  
Sun County Writer

Ames Trash Dump, which holds the contract for disposal of waste from Puget Sound Naval Shipyard, was ordered yesterday to close down until it has complied with requirements of the Kitsap County Health Department.

The county commissioners gave the order after hearing County Sanitarian Joe Weigel tell them the dump "hasn't complied at all with what we've asked them to do."

A considerable number of

Sunnyslope residents who own property adjacent to the dump were also on hand to renew complaints about the burning problem there.

The action by the commissioners was unanimous, with Bill Mahan taking the lead and moving that no dump permit be issued to Ames' operators, to be followed by prosecution by the county if the dump continues to operate without the permit.

Kenneth Crawford and Mel Marler, who co-own the dump, don't intend to make it easy for a legal fight on that point.

the county, though, and were collecting their legal forces this morning in preparation for a court battle.

Crawford said Bremerton lawyer Curtis Coons has been retained and a Seattle lawyer has also been contacted. "We'll see this all the way into the courts in Olympia if we have to," Marler told The Sun.

The next step will be up to the county. Crawford said he will wait for the county to bring charges of operating a dump without a license, then launch

The offense is a misdemeanor, punishable by a \$250 fine or 90 days in jail for each day the violation continues.

Weigel had sent the dump operators a letter, listing 11 points that had to be corrected before the dump permit would be issued. Yesterday he read a letter he had received back, telling what the dump owners were doing to comply.

After commenting briefly on his evaluation of the progress on each of the 11 points, Weigel said overall he found the dump to be far from compliance.

The commissioners also heard testimony from six Sunnyslope residents, complaining of the eye-irritating smoke conditions that accompanied a fire at the dump last week.

The dump owners reported to the commissioners as an accidental fire, but it burned for four days, Mahan said, and the commissioners weren't convinced an honest effort was made to put it out.

They had earlier ordered the dump to stop burning at the dump and the operators were reported to have said they would comply, but accidental fires might erupt.

One of the six Sunnyslope residents, Don Barnes, Port Orchard Rte. 4, Box 385, a member of the Sunnyslope Fire Department, said no help was asked by the dump owners during the four-day duration of the fire last week.

# Dump Faces Permit Loss

SECOND SECTION —

THE BREMERTON (Wash.) SUN  
Wednesday, Sept. 17, 1969 15

Any further nuisance burning at the Ames Trash Dump on New Belfair Highway may result in non-renewal of a dump license for the operation, the Kitsap County Commissioners suggested Monday.

That remark was made by Commission Chairman Frank Randall following talks with dump co-owner Kenneth Crawford in which the dump owner was told complaints from his neighbors on ash and smoke from the Ames Dump have been substantiated by county officials.

The commissioners didn't come right out and tell Crawford the dump license was on the line, but Commissioner Gene Lobe told Crawford that he and his fellow county board members were aware that no new license had been issued.

That observation came after Crawford was told that the commissioners wanted him to live up to the Sept. 15 deadline he had informally set for an end to all burning at the dump.

All three commissioners told Crawford they were convinced his neighbors had a legitimate

burn out there unless it's raining?" Lobe wanted to know.

"Well, under those and other favorable conditions," was the reply.

The pair never reached an accord on what they felt favorable conditions included, however.

Crawford reiterated a stand he has taken several times since the dump first came under criticism by its neighbors in July . . . that he and Marler were improving the operation as quickly as they could, and were trying to get along with everyone.

He and Marler have both contended that petitions circulated asking for county action to curtail the objectionable burning at the dump have been spawned by outside influences unhappy with Ames getting the Puget Sound Naval Shipyard trash contract, which took effect July 1, shortly after the complaints began.

"We were aware some outside influence might have generated the complaints," Randall said, but now unbiased county officials have made repeated investigations of telephoned complaints, and have brought back very unfavorable reports.

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# County Orders Trash Dump Burning To Halt

The Kitsap County Commissioners have ordered an end to all burning at the controversial Ames Trash Dump on the New Belfair Highway by Sept. 15, and an immediate end to any burning that causes a hazard in the area.

The action came yesterday after the commissioners heard from Kenneth Crawford, co-owner of the dump, from Joseph Weigel of the county health department, and from a group of the dump's neighbors.

Crawford said early in the meeting that he and Mel Marler, the other owner, had tentatively set a date of Sept. 15 on which to curtail all burning on their own initiative. Installation of modern trash disposal equipment would hopefully allow the shutdown by then, he said.

After hearing from the neighbors of the dump, however, the commissioners decided that they had better put the Sept. 15 deadline on more than a "hopefully" basis, and ordered that it be met.

Furthermore, following testimony by the neighbors that still-burning pieces of paper have frequently floated onto their property, and occasionally even into their homes, the three-man board demanded that such a hazard be curtailed immediately.

R. E. Reid of Alpine Evergreen Co., and his wife, Omar Neshem, who runs a trailer court a mile from the dump and Edward Mosier, a Sunnyslope resident, all said they were worried or annoyed by the smoke and ash from the dump.

The Reids displayed a wallet-size piece of partially burned paper, which he said was found on his lawn, and noted that a similar hunk of material had been found on their carpet.

And the obnoxious smell from the dump gets into the draperies and furnishings, he said, and stays there. His 34-year-old father had moved out, Reid contin-

ued, and he said he knows of other residents who plan to follow.

Mosier said he fears for his life when the embers from the dump are blown his way and start dropping in his yard. He can imagine waking up to find the house afire, he said, or not waking up at all. "He could burn me out by Sept. 15," Mosier protested.

Neshem said his trailer court, a mile south of the dump, is also plagued by the odor and ash when the wind is right. He said he has elicited a promise from the dump owners that the problem would be cured in two weeks, and with a week left to go, he wouldn't take any action until then.

"If we still have trouble (after two weeks), we'll have another 180 names on that petition," Neshem said.

He was referring to a 56-name petition presented to the commissioners last week asking for abatement of the dump nuisance.

During his presentation, Crawford said he and Marler are

trying to make their business one of the best operated dumps in the state. "We're installing every piece of automated equipment we can," he said, and an investment of \$50,000 has been made since the dump won the contract for disposal of the trash from Puget Sound Naval Shipyard July 1.

He said since an article in The Sun last week telling of the petition with 56 names, a large number of other neighbors have called and voiced support for the operation of the dump. Crawford charged that the man who spearheaded the petition drive was paid to do it, and had admitted as much to nearly a dozen residents he approached with the petition.

The dump operation generally got the support of the county officials at yesterday's session. Weigel, the county sanitarian, said Marler and Crawford have had a good operation in the past, and have abided by health department demands. He urged the protestors to give them until Sept. 15 to accomplish their goals.

Commissioner Gene Lobe added, "I know this is a hardship on you people, and I wouldn't want to live under these conditions. But we do have trouble getting rid of garbage, I would just say 'Give them a chance' to work out the problems."

That was apparently fine with the protestors, as each said the two restrictions approved by the commissioners would be satisfactory.

The Ames dump has been the focal point of a controversy ever since it won the shipyard disposal contract. It increased the trash volume at the dump well over 30 times, Weigel has said, and left Crawford and Marler struggling to catch up with the demands of the extra volume.

Crawford alleged yesterday that many of his troubles since July 1 have been caused by a competitor unhappy about Ames getting the PSNS contract. He didn't name the competitor, but did claim that's who provided the money to pay the petition-circulator.

The dump owner also said that lack of time to prepare for the shipyard business has resulted in difficulty which he and his partner are working to correct.

# Increased Business Gives Dump Woes

By TRAVIS BAKER  
Sun County Writer

As the owners of Ames Trash Dump on the New Belfair Highway wrestle with what to do with all the garbage they're handling, a group of its neighbors apparently are wrestling with what to do about the dump itself.

County officials have been receiving complaints from neighbors of the dump, co-owned by Mel Marler and Kenneth Crawford, for about the past month. The latest was in a letter from Bremerton lawyer John Bishop, saying his client, Alpine Evergreen Co., Inc., would bring civil action against the Ames operation if public officials do not act first.

Last week, Mrs. Billie Eder, a member of the county planning commission, said she had noticed smoke rolling out of the dump the last few times she had been past, and she initiated a planning commission study of possible problems.

And individual county commissioners and County Sanitarian Joe Weigel say they have also been getting complaints.

Ames' trouble seemed to have started July 1 when Marler and Crawford took over the disposal contract for Puget Sound Naval Shipyard. The contract meant a fantastic increase in garbage volume at the Ames dump, Weigel said. What was a small operation of about 100 cubic yards of garbage a week has now swelled to a 30 times larger dumping business, the sanitarian said.

Ames has been operating without a dump license since July 1, Weigel said, but then so are all the other dump operators in the county. All the licenses expired on June 30, he explained, and he's about a month later than usual inspecting the dumps and renewing licenses. Any new problems that have arisen at the Ames dump will

be investigated during the mandatory inspection. Weigel said he's always found in the past that Marler and Crawford do a reasonably good job of operating the dump.

The sanitarian said he would be present at Monday's meeting of the county commissioners to map out the problems as he sees them. Marler said he would ask his partner, Crawford, to also be present.

Included with Bishop's letter on behalf of Alpine Evergreens, a tree farming business, was a petition, which included 56 names, claiming that the burning done at the dump during prevailing winds was "noxious and detrimental to health," and that an offensive odor emitted from the dump.

Marler's response when contacted by The Sun was one of mixed suspicion and surprise, but he admitted some difficulties.

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The main offender, he had told County Commissioner Gene Lobe, was cardboard, which doesn't burn completely before it becomes light enough to blow away, with the result smoldering bits of paper floating in the air, giving rise to fire danger worries.

But he's contracted with a Tacoma firm to take the cardboard off his hands, Marler said, eliminating that problem.

He denied that the 56 signatures, even if all were valid, represented a majority of his neighbors. "I can name 156 people out here who aren't bothered a bit," he said.

He also said he was suspicious of the motives of the man he said led the petition drive. He lives well out of the affected area, Marler said, and doesn't seem to have any obvious connection with the problem.

The dump operator associated his troubles with the start of his service to the shipyard. "I burned out here for over a year without any complaints," he said, "but all of a sudden I get the Navy contract and the complaints start."

He also took a verbal swat at Bishop's client, the tree farm. "He should talk about burning. During Christmas tree season he has a fire down there that makes mine look like a fireplace fire," Marler claimed.

All burning in Kitsap County garbage dumps must end Jan. 1, when this county's membership in the Puget Sound Air Pollution Authority becomes effective, so that portion of the problem must be solved by the dump operators regardless of what is done by local officials on the immediate complaints.

What other complaints are justified will probably be uncovered in Weigel's pending licensing inspection of the Ames operation.

## August Bad, Says Sheriff

Kitsap County Sheriff Art Morken said today he's worried about the month of August.

It's the most hectic month of the year for law officers because of the great increase in juvenile misbehavior, Sheriff Morken says.

"It seems this happens every year," Morken said. "Children seem to have nothing to do, are restless and cause a great amount of vandalism, petit larceny and burglary."

The sheriff said that law enforcement agencies are overrun with complaints about juvenile behavior in August.

"We hope that all parents will take extra precaution in supervising their children this month," Morken said.

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# Burning Leads To Complaints

The new trash-burning operation at Ames Auto Wrecking on Belfair Highway is being viewed with concern by the Kitsap County commissioners and the Bremerton Port Commission.

The port claims burning could conceivably obscure the vision of pilots flying in and out of Kitsap County Airiport and it is asking the county commissioners to do something about it. The county commissioners, however, don't know quite what to do and admit they may have "goofed" when they authorized a rezoning at the site last month.

Commissioner Frank Randall ~~admits~~ that when the rezoning was ~~passed~~ he was under the impression that the commission ~~was~~ merely straightening out the nonconforming zoning in the area from "residential" to "public use" so the auto wrecking firm could continue to operate.

However, since the rezoning, a dump operation with burning apparently has started and the commissioners said they didn't intend this when they authorized the rezoning. But, under the provisions of the zoning ordinance, a dump as well as wrecking yards and gravel pits and rock quarries can be located in the area.

Burning was specifically excluded from the rezoning, however, but burning appears to be going on anyway. Furthermore, city-county sanitarian Joe Weigel said a dump license has never been issued, although he said the area would probably be a good dump site if something were done about the burning and the possible pollution of Gorst Creek.

The area is located about a mile northeast of the airport.

The matter was referred to Weigel who will ask the operators of the yard and dump to draw up a plan of the development of the area and apply for a license. It was also referred to the planning commission, ~~and~~ ~~the~~ ~~planning~~ ~~commission~~ ~~has~~ ~~been~~ ~~asked~~ ~~to~~ ~~draw~~ ~~up~~ ~~a~~ ~~plan~~ ~~of~~ ~~the~~ ~~development~~ ~~of~~ ~~the~~ ~~area~~ ~~and~~ ~~apply~~ ~~for~~ ~~a~~ ~~license~~ ~~and~~ ~~the~~ ~~county~~ ~~has~~ ~~been~~ ~~put~~ ~~on~~ ~~notice~~ ~~that~~ ~~the~~ ~~county~~ ~~is~~ ~~going~~ ~~to~~ ~~join~~ ~~an~~ ~~air~~ ~~pollution~~ ~~control~~ ~~district~~ ~~in~~ ~~June~~ ~~of~~ ~~1969~~ ~~and~~ ~~all~~ ~~dump~~ ~~burning~~ ~~must~~ ~~cease~~ ~~by~~ ~~that~~ ~~time~~.



## Sunnyslope Wrecking

### Yard 'Goes to Court'

Controversy over a wrecking yard proposed at Sunnyslope has been carried into Superior Court and, the plaintiff's attorney said, the outcome may also help settle the county's planning and zoning mixup.

The court action, naming Mr. and Mrs. Mel Marler as defendants, prays for a mandatory injunction to prevent them from proceeding with construction of the wrecking yard.

Plaintiffs are listed as Mr. and Mrs. Donald Barnes, Mr. and Mrs. William L. Schlosser and James W. Larson. Their attorney, Leonard Kruse, said the Sunnyslope Improvement Association is behind the action, and the Barneses, Schlossers and Larson were chosen as plaintiffs because they all live within 500 feet of the proposed yard.

The complaint alleges that the yard is a prospective nuisance, and that its construction would violate county zoning resolutions Z-2 and Z-3.

Z-2 was passed in 1961. Z-3 is the "interim" resolution passed July 6 of this year after Prosecutor James Munro on June 4 said existing county zon-

ing was unenforceable except on Bainbridge Island because proper zoning procedure had not been followed previously.

Marler on April 28 had applied to the county planning commission for a rezone which would permit construction of the wrecking yard. On May 28 the planners tabled the application, saying Marler had not given them an adequate plot plan.

But after Munro on June 4 declared zoning unenforceable, and before the July 6 interim resolution was passed, Marler obtained a building permit to construct the yard.

The property is 10 acres lying on the south side of Belfair Highway east of Kitsap County Airport, and adjacent on the west to Hooper's Trailer Park property. Marler already has done some clearing, Kruse said.

Several other permits which could not have been obtained if zoning had not been held unenforceable were issued by the county assessor's office during the June 4-July 6 period. Kruse said the outcome of the Marler case should set precedent as to the validity of these permits.